

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

NOVARTIS PHARMACEUTICALS
CORPORATION

Plaintiff,

v.

ACTAVIS LLC, APOTEX, INC.,
APOTEX, CORP., BEDFORD
LABORATORIES, DR. REDDY'S
LABORATORIES, INC., DR. REDDY'S
LABORATORIES LTD., EMCURE
PHARMACEUTICALS USA INC.,
EMCURE PHARMACEUTICALS, LTD,
HOSPIRA, INC., PHARMACEUTICS
INTERNATIONAL INC.,
PHARMAFORCE, INC., SAGENT
PHARMACEUTICALS, INC., ACS
DOBFAR INFO S.A., STRIDES, INC.,
STRIDES ARCOLAB LTD,
SUN PHARMACEUTICALS
INDUSTRIES, INC., SUN PHARMA
GLOBAL FZE, CARACO
PHARMACEUTICAL LABORATORIES,
LTD, SUN PHARMACEUTICAL
INDUSTRIES LIMITED, TEVA
PARENTERAL MEDICINES, INC.,
WOCKHARDT USA LLC, and
WOCKHARDT LTD.

Defendants.

Civil Action No. 13-1028 (SDW) (MCA)

ORDER TO SEAL

NOVARTIS PHARMACEUTICALS
CORPORATION, NOVARTIS
CORPORATION, and NOVARTIS AG

V.

WOCKHARDT USA LLC and
WOCKHARDT LIMITED

Civil Action No. 12-03967 (SDW) (MCA)

Upon Plaintiff Novartis Pharmaceutical Corporation's ("Novartis") application for the entry of an Order, pursuant to Local Civil Rule 5.3(c), providing for the sealing of the following, which were electronically filed under seal on February 21 and 27, and March 1, 2013:

(2) The accompanying declarations of Drs. John Bilezikian, Allan Lipton, Horst Schran, Christine Meyer, Daniel Rush and Ms. Lisa Deschamps [D.E. 76-1; 76-5; 76-8; 76-6; 76-7; 76-3, respectively];

(3) Exhibits 3, 4, 36, 37, 38, 39, 41, 43, 44, 46 and 47 attached to the Declaration of Rachel L. Weiner in support of Novartis's Opening Brief in Support of its Motion for a Temporary Restraining Order and a Preliminary Injunction [66-2; 6-3; 74-1; 74-2; 74-3; 74-5; 74-7; 74-8; 74-10; 74-11, respectively];

(4) Novartis's Reply Memorandum in Further Support of its Motion for a Temporary Restraining Order and a Preliminary Injunction [D.E. 78]; and

(5) Exhibit D, Apotex's Paragraph IV Letter, to Novartis's Order to Show Cause Why Expedited Discovery Should Not be Granted [D.E. 1-12], (collectively, the "Subject Material").

The Court having considered the papers submitted in support of this Motion, the Court hereby finds:

*and no opposition having
been submitted; and
for good
cause;*

1. The Subject Material contains confidential information, the public disclosure of which could affect legitimate business interests.

2. Upon consideration of the papers submitted in support of this motion, and the materials sought to be sealed, the Court concludes that Novartis has met its burden under Local Civil Rule 5.3(c) and applicable case law, and that these materials should be sealed.

3. Specifically, the Court concludes that the Subject Material contains confidential information concerning Novartis' (or Defendants') commercial information; Novartis (or Defendants) has a legitimate interest in maintaining the confidentiality of the Subject Material, because the confidential information in the Subject Material is commercially sensitive and if publicly disclosed could have significant commercial impact on Novartis (or Defendants); and there is no less restrictive alternative to the relief sought.

4. Publicly redacted versions of the following materials will promptly be filed on ECF:

(i) Novartis's Opening Brief in Support of its Motion for a Temporary Restraining Order and a Preliminary Injunction;

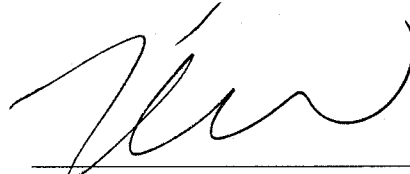
(ii) The accompanying declarations of Drs. John Bilezikian, Allan Lipton, Horst Schran, Christine Meyer, Daniel Rush and Ms. Lisa Deschamps; and

(iii) Novartis's Reply Memorandum in Further Support of its Motion for a Temporary Restraining Order and a Preliminary Injunction.

THEREFORE, it is on this 20 day of April, 2013

ORDERED that Novartis' Motion to Seal is hereby GRANTED; and

IT IS FURTHER ORDERED that the Clerk is hereby directed to seal the Subject Material.



Honorable Madeline Cox Arleo
United States Magistrate Judge